

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: August 13, 2014

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UNITED STATES OF AMERICA,

- against -

JI YUN LEE, et al.,

Defendants.
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13 Crim. 290 (PAC)

ORDER

HONORABLE PAUL A. CROTTY, United States District Judge:

On August 4, 2014, the Government submitted a motion *in limine* to preclude defense counsel from eliciting certain statements made in an interview by Defendant Christina Chai with law enforcement. At the August 13, 2014 pre-trial conference, the Court GRANTED the Government's motion with respect to the following statements:

- CHAI stated she is unhappy in her job at the pharmacy but it is difficult to leave due to her family obligations. . . . CHAI stated she feels a commitment to her sister (Ji LEE's wife) and her parents.
- CHAI stated she did not think Ji LEE would put her license in danger as he has. CHAI stated she has never discussed it with Ji LEE. CHAI stated she is scared because Ji LEE is family (her brother-in-law). CHAI stated she now believes her pharmacist license is at risk. CHAI stated she trusted LEE and believed he knew what he was doing. CHAI stated these reasons drowned out her suspicions about him.
- CHAI stated she has never seen a situation where money was put in a plastic bag and handed back to LEE by a cashier.

The Court DENIED the Government's motion with respect to the following statements, which are necessary to explain and to put into context the admitted statements pursuant to Federal Rule of Evidence 106:

- CHAI stated Ji LEE does the ordering of pharmaceuticals from their suppliers. CHAI stated she never sees the drug orders. CHAI stated the pharmacy gets two deliveries a day from the suppliers. CHAI stated she does not know of and is not involved in inventory/auditing of narcotics at the pharmacy and assumed LEE took care of it because she was never asked to do it. CHAI stated she has not done an inventory since she started working at the pharmacy. CHAI stated she has never seen printouts that show the total dispensing from the pharmacy during a work day.

- CHAI stated she does not interact with any customers.
- CHAI stated she was put somewhat at ease as there were less oxycodone prescriptions being filled in the fall of 2012. CHAI stated the amount of oxycodone prescriptions increased again but not to the peak level observed in the summer. CHAI stated she has seen LEE decline to fill narcotics prescriptions and that, in her head, justified that LEE was not running an illegal enterprise.

Dated: New York, New York
August 13, 2014

SO ORDERED



PAUL A. CROTTY
United States District Judge